

RICHARD GIGUERE et al.

v.

YVETTE MICHAUD

Submitted on Briefs June 27, 2002

Decided July 2, 2002

Panel: SAUFLEY, C.J., and CLIFFORD, RUDMAN, DANA, ALEXANDER,  
CALKINS, and LEVY, JJ.

MEMORANDUM OF DECISION

Richard Giguere and his wife appeal from a judgment entered in Superior Court (Androscoggin, *Gorman, J.*) granting Yvette Michaud's motion for summary judgment on Giguere's negligence complaint. We decline Giguere's invitation to overrule *Cole v. Lord*, 160 Me. 223, 202 A.2d 560 (1964), and to hold a landlord liable for a tenant's injury caused by a known and visible defect in premises exclusively under the tenant's control. There is no dispute that Giguere's injury does not come within any of the exceptions to landlord nonliability expressed in *Nichols v. Marsden*, 483 A.2d 341, 343 (Me. 1984).

The entry is:

Judgment affirmed.

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